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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/876,550      | 06/07/2001  | Pericles Deavila     | 25-19-101           | 7541             |

7590 02/05/2003

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SALT LAKE CITY, UT 84111

EXAMINER

VANAMAN, FRANK BENNETT

|          |              |
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| ART UNIT | PAPER NUMBER |
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3618

DATE MAILED: 02/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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Commissioner of Patents and Trademarks

1. The reply filed on October 10, 2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the reply refers to an election of species, and elects a 'species', although no requirement for the election of a species has been made. In this case, a restriction requirement **between independent inventions** has been made. It is not clear if applicant additionally desires to elect a species. If such is the case, a species election should include a listing of claims readable on the species, including any claims subsequently added. Further, in view of the claims specifically identified by the paper of 10/10/02, applicant's intentions for the treatments of the claims added in paper 13 (11/26/2002) are not clear in that they have not been identified as belonging to an identified group. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Vanaman whose telephone number is (703) 308-0424. Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Assistant Commissioner for Patents  
Washington, DC 20231

or faxed to :

(703) 305-3597 or 305-7687 (for formal communications intended for entry; informal or draft communications may be faxed to the same number but should be clearly labeled "UNOFFICIAL" or "DRAFT")

F. VANAMAN  
Primary Examiner  
Art Unit 3618

F. Vanaman  
February 4, 2003

  
2/4/03